

Remarks

Reconsideration and allowance of the above-amended patent application are respectfully requested.

As an initial matter, Applicants gratefully acknowledge the Examiner's allowance of Claims 7-12 and the indication that Claims 5 and 6 are allowable.

Claims 1 and 7 have been amended to add "with a tap monitor" and "confined light" as suggested by the Examiner to overcome the rejections. Claims 3, 7, 8, and 9 have been amended to clarify the language as suggested by the Examiner.

With respect to Claims 4 and 10, Applicants respectfully traverse the Examiner's objection. Optical fibers are special forms of optical waveguides or waveguiding optical conduits. A planar waveguide is another example of a general waveguiding optical conduit. See, e.g., the description with this regard in the paragraph [0004] on page 2, lines 6-11 and paragraph [0005] on page 2 of the specification. Based on the disclosure in the specification, Claims 4 and 10 specifically recite a planar waveguide as the waveguiding optical conduit. The drawings of this application show fibers as examples and each fiber may be substituted by another form of waveguiding optical conduits such as a planar waveguide. Hence, the objections to Claims 4 and 10 should be withdrawn.

In the interest of expediting the prosecution, Applicants have amended claims to place the claims in condition for allowance and to obviate the rejections based on the cited prior references by Bridges, Deimel, and Bennion. Details of the amendment are as follows.

Claim 1 has been amended to include all recited features in its dependent Claim 5, which has been cancelled. Claim 5 was indicated by the Examiner as being allowable. Therefore, Claim 1 as amended is now allowable. The rejections to Claim 1 under 35 USC 102(b) should be withdrawn in view of the amendment.

Accordingly, dependent Claims 2-4 should be allowable and the corresponding rejections under 35 USC 102(b) and 103(a) should also be withdrawn in view of the amendment to base Claim 1.

Claim 6 has been amended as an independent claim to include all features recited in its original base Claim 1. Claim 6 is indicated by the Examiner as being allowable. Hence, Claim 6 as amended should now be allowed.

Dependent Claims 13-26 have been newly added for base Claims 1 and 6 and are fully supported by the original specification. No new matter is added. Because Claims 1 and 6 as amended are patentable, new Claims 13-26 are also patentable. Claims 13-26 are further patentable based on their own merits.

In view of the above, each rejection or objection in the Office Action has been obviated or overcome. Hence, all pending claims, Claims 1-4 and 6-26, are patentable and in full condition for allowance. An official notice of allowance is respectfully solicited to issue at an early date.

The Examiner is cordially invited to telephone the undersigned should a telephonic discussion be helpful in quickly resolving any issues that have been overlooked or inadequately addressed by this response.

Applicant asks that all claims be allowed. Please apply \$444 (\$54 excess claim fee, \$210 two month extension of time fee and \$180 Information Disclosure Statement Fee), and any other applicable charges or credits, to Deposit Account No. 06-1050.

Respectfully submitted,



Bing Ai
Reg. No. 43,312

Date: October 21, 2003

Fish & Richardson P.C.
PTO Customer No. 20985
12390 El Camino Real
San Diego, CA 92130-2081
Telephone: (858) 678-5070
Facsimile: (858) 678-5099

10325181.doc